THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.7845 of 1999

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Dated: 04.01.2006

Between:

1 M. Parameswarappa, (died per L.R's) S/o. M.S.Karibasappa, H.No. 7-78, Yemmagnur, Kurnool District and others.
(Petitioners 2 and 3 are brought on record as L.Rs of the deceased petitioner as per Court Order dt.29/12/03 in

WPMP30569/2003)

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, rep. by its Secretary, Handlooms and Textiles Department, Secretariat, Hyderabad and others.

....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.7845 of 1999

Order:

The petitioner, while working as Manager of respondent No.2-Society, dismissed from service on the ground of misappropriation of society funds vide impugned proceedings No.YWCS/EST/97/3489, dated 22.10.1997. In the said proceedings it is stated that the petitioner is not eligible for any gratuity amounts, however, he is eligible to receive subsistence allowance up to the date of his superannuation. Being aggrieved by the said proceedings, the petitioner filed the present writ petition contending that he is eligible to receive all pensionary benefits

including gratuity with all consequential benefits. Subsequent to filing of writ petition, the petitioner died, and his legal heirs, petitioners 2 and 3 were brought on record as per the orders of this Court dated 29.12.2003.

Heard the learned counsel for the petitioner and learned Standing Counsel for respondents-Society.

Though a counter affidavit was filed denying the allegations made by the petitioner in the writ petition and stating that the petitioner is not entitled to gratuity, leave salary, bonus etc., during the course of arguments, learned counsel for respondents fairly agreed that the petitioner is entitled for gratuity amount and except the gratuity amount, he is not entitled to receive any amount. On instructions, he further submitted that the respondent No.2-Society is willing to settle the gratuity amount to which the petitioner is entitled to.

Learned counsel for petitioner agreed for the same and prayed that respondents may be directed to pay the gratuity amount expeditiously.

Having regard to the agreed stand taken by both the counsel,
the writ petition is dispose of directing the respondent No.2-Society to settle the gratuity amount payable to the petitioner expeditiously, preferably within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 04.01.2006

Tvk/Nsr

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